

M. A. L. S. J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
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MANUFACTURERS AND TRADERS
TRUST COMPANY, as Successor Indenture
Trustee for the 7.75% Contingent Convertible
Notes Due 2015 issued by Calpine
Corporation,

Plaintiff,

-against-

HSBC Bank USA, National Association, as
Successor Indenture Trustee for the 7.625%
Senior Notes Due 2006, the 8.75% Senior
Notes Due 2007, the 8.75% Senior Notes Due
2008, and the 7.75% Senior Notes Due 2009
issued by Calpine Corporation,

- and -

U.S. BANK NATIONAL ASSOCIATION,
as Indenture Trustee for the 10.50% Senior
Notes Due 2006 issued by Calpine
Corporation,

Defendants.

ECF Case
CASE NO. 08-CV-03093 (VM)

STIPULATION AND AGREED ORDER

STIPULATION AND AGREED ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for Plaintiff and Defendants, that the time for Defendant HSBA Bank USA, National
Association ("HSBC") and Defendant U.S. Bank National Association ("U.S. Bank") to answer,
move or otherwise respond to the Complaint is extended to and including April 14, 2008.

IT IS FURTHER STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiff and Defendants, that service of process of the Summons and Complaint on Defendants HSBC and U.S. Bank was proper and was made on March 11, 2008.

Dated: April 1, 2008
New York, New York

Respectfully submitted,

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*Attorneys for Defendant U.S. Bank
National Association*

So Ordered this 2nd day of April, 2008



United States District Judge
Victor Marrero

503309